

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 28, 2010

DIVISION ONE

B212579 People (Not for Publication)
v.
Hernandez

The judgment is affirmed. The trial court is directed to prepare and forward to the Department of Corrections and Rehabilitation a corrected abstract of judgment, reflecting that sentence on count 2 was stayed.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

B214420 People (Not for Publication)
v.
Blanco, Jr.

The judgment is modified to award defendant two additional days of custody credit and the cause is remanded to the trial court to prepare an amended abstract of judgment reflecting the modification and to forward a copy to the Department of Corrections and Rehabilitation. In all other respects the judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Johnson, J.

DIVISION ONE (continued)

B209008 Clasby (Not for Publication)
v.
McColm et al.

The judgment is affirmed.

Chaney, J.

We concur: Rothschild, Acting P.J.
 Johnson, J.

B211683 People (Not for Publication)
v.
Armienta and Alfaro

With respect to Carlos Alfaro, the judgment is affirmed. As to Joseph Armienta, the judgment is corrected to reflect imposition of a probation, rather than a parole, revocation restitution fine pursuant to section 1202.44. The court is directed to prepare a new abstract of judgment reflecting this change. In all other respects, the judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Johnson, J.

B217515 Los Angeles County, D.C.F.S. (Not for Publication)
v.
M.J.

The July 9, 2009 order is affirmed.

Mallano, P.J.

We concur: Chaney, J.
 Johnson, J.

January 28, 2010 (Continued)

DIVISION ONE (continued)

B215420 People (Not for Publication)
v.
Jose R.

The order under review is reversed.

Mallano, P.J.

We concur: Chaney, J.
Johnson, J.

B209232 People (Not for Publication)
v.
Nevarez

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

B207755 Lohman
v.
JC Ephraim

Filed order modifying opinion. (No change in the judgment)

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman, Deputy Clerk.

DIVISION TWO (continued)

B211326 Yang
 v.
 Fields

Merits:

Argued by Filomena Meyer for respondent and oral argument previously waived by appellant. Cause submitted.

B211602 People State of California
 v.
 Lexington National Insurance Corp.

Merits:

Argued by Melissa McCaverty for respondent and oral argument previously waived by appellant. Cause submitted.

B209590 People
 v.
 Hicks

Merits:

Argued by Thomas Ono for appellant and by J. Michael Lehmann, Deputy Attorney General for respondent. Cause submitted.

B210431 Hendricks
 v.
 Los Angeles Unified School District

Merits:

Argued by Leo Terrell for appellant and by Michele Goldsmith for respondent. Cause submitted.

DIVISION TWO (continued)

B214945 Castillo
 v.
 Beverly Books Inc.

Merits:
Argued by George Hakim for appellant and by Clyde Dewitt for respondent.
Cause submitted.

B213603 Steuber
 v.
 Steuber

Merits:
Argued by Russell Davis for appellant and by Paul Carter for respondents.
Cause submitted.

Court in recess

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,
Deputy Clerk.

B215557 People
 v.
 Callier

Merits:
Argued by Carol Boyk for appellant and by Eric Kohm, Deputy Attorney
General for respondent. Cause submitted.

B207867 People
 v.
 Kirkorian

Merits:
Argued by Leslie Conrad for appellant and by Steven Mercer, Deputy
Attorney General for respondent. Cause submitted.

DIVISION TWO (continued)

B217765 Tennen, et al.
 v.
 Finstad

Merits:
Argued by Walter Sawicki for appellant and by Joseph Kar for respondents.
Cause submitted.

B212748 Salamat, et al.
 v.
 City of Los Angeles

Merits:
Argued by Robert Glushon for appellants and by Terry Macias for
respondent. Cause submitted.

B214467 Auciello
 v.
 Los Angeles Community College District

Merits:
Argued by Kathleen Brewer for appellant and by Kenneth Scholtz for
respondent. Cause submitted.

B211543 Anvar
 v.
 Element L.A. LLC

Merits:
Argued by Allison Adams for appellant and by Stacy Douglas for
respondent. Cause submitted.

DIVISION TWO (continued)

B208275 Hall
v.
Warren Pumps LLC, et al.

Merits:
Argued by Nicholas Vari, Joseph Duffy and Bobbie Bailey for respondents
and by Jeffrey Ehrlich for appellant. Cause submitted.

B214067 Kropfl
v.
The Roman Catholic Archbishop of Los Angeles et al.

Merits:
Argued by Kenneth Kropfl for appellant and by David Shapiro for respondents. Cause submitted.

Court adjourned

DIVISION THREE

B216520 People (Not for Publication)
v.
Brandon Jerome Ysaguirre

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (continued)

B213036 People (Not for Publication)
v.
Kenya Kassan Mabson

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B216520 People (Not for Publication)
v.
Brandon Jerome Ysaguirre

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B216911 People (Not for Publication)
v.
Anere L.

The minute orders dated July 28, 2008 and April 14, 2009 are ordered modified to strike the juvenile court's characterization of the robbery as a "not a strike" and "a strike, respectively. As so modified, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (continued)

B212583 People (Not for Publication)
v.
Cole Dexter

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

B209780 Morgan Phillips, Inc. (Not for Publication)
v.
Jams, Inc., et al.

The judgment is affirmed. Defendants are awarded costs on appeal.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION FIVE

B210321 444 W. Ocean, LLC (Not for Publication)
 v.
 Simmaxx Energy (CA), LLC
 1211658 Alberta, LTD

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, Acting P.J.

We concur: Mosk, J.
 Kriegler, J.

B211610 People (Not for Publication)
 v.
 Jose Armando Tellez

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION SIX

B219437 A.G. (Not for Publication)
 v.
 San Luis Obispo Superior Court
 (San Luis Obispo County Department of Social Services, r.p.i.)

The petition for extraordinary writ is denied.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

January 28, 2010 (Continued)

DIVISION SIX (continued)

B213887 People (Not for Publication)
v.
Davalos

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B218155 People (Not for Publication)
v.
Brian Nelson Edwards

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION EIGHT

B211542 Sanaz Kashani (Not for Publication)
v.
Bunker Hill Tower Condominium Association

The judgment is reversed and the trial court is directed to enter a new order denying respondent Bunker Hill Tower Condominium Association's motion to dismiss appellant Sanaz Kashani's complaint as a SLAPP suit. Appellant to recover her costs on appeal.

Rubin, Acting P.J.

We concur: Flier, J.
Bigelow, J.

DIVISION EIGHT (continued)

B213462 Kazuto Takeda dba Ebisu Market (Not for Publication)
v.
Akiyama Tsukemono California, Inc., et al.

The order vacating the default judgment is affirmed. Respondent shall recover his appellate costs.

Rubin, Acting P.J.

We concur: Flier, J.
Bigelow, J.

B205856 Daniela Biscaro (Certified for Publication)
v.
Marc Gregory

The judgment is reversed. The matter is remanded with directions that the trial court rule on appellant's request for accommodation of his disabilities and for any further proceedings that may be necessary based on that ruling.

Rubin, Acting P.J.

We concur: Flier, J.
Mohr, J. (Assigned)

B199037 People (Not for Publication)
v.
Juan Ortiz

The judgment is reversed.

Mohr, J. (Assigned)

We concur: Rubin, Acting P.J.
Flier, J.

DIVISION EIGHT (continued)

B207774 Santos (Not for Publication)
v.
Scott Villa Apartments

The trial court's order denying the motion for JNOV and granting the motion for new trial are affirmed. Each party shall bear its own costs on appeal.

Bigelow, J.

We concur: Rubin, Acting P.J.
Flier, J.

B208717 People (Not for Publication)
v.
Gonzalez

The judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.
Flier, J.